

105TH CONGRESS
1ST SESSION

S. RES. 124

To state the sense of the Senate that members of the Khmer Rouge who participated in the Cambodian genocide should be brought to justice before an international tribunal for crimes against humanity.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 1997

Mr. ROTH (for himself, Mr. THOMAS, Mrs. FEINSTEIN, and Mr. GRAMS) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

To state the sense of the Senate that members of the Khmer Rouge who participated in the Cambodian genocide should be brought to justice before an international tribunal for crimes against humanity.

Whereas the Khmer Rouge recently staged a show trial of Pol Pot, the reputed leader of the Khmer Rouge during the Cambodian genocide;

Whereas the Khmer Rouge have been promoting their National Solidarity Party and proclaiming their support for “liberal democracy” as a means to legitimate their role in Cambodian politics;

Whereas, while the Khmer Rouge have been weakened since the Paris Peace Accords of 1991, they remain a key source of violence in Cambodia;

Whereas Cambodian People's Party leader and Second Prime Minister Hun Sen staged a bloody and illegal coup against the First Prime Minister and leader of the FUNCINPEC Party, Norodom Ranariddh;

Whereas Hun Sen maintains that the coup was necessary because elements of FUNCINPEC were on the verge of consummating a deal to bring the Khmer Rouge military and political organization into the legitimate political arena;

Whereas Norodom Ranariddh, by contrast, has argued that FUNCINPEC had no plan to form an alliance with the Khmer Rouge and that this allegation was used as a pretext by Hun Sen for the coup;

Whereas Norodom Ranariddh asserts instead that he was on the verge of finally destroying the Khmer Rouge and bringing them to justice;

Whereas Norodom Ranariddh further asserts that the real reason for the coup was that Hun Sen fears that convening an international tribunal to bring the Khmer Rouge to justice would implicate Hun Sen in genocidal atrocities;

Whereas Hun Sen has consistently argued that the top Khmer Rouge leadership—including, but not limited to Pol Pot—must be brought to justice before an international criminal tribunal;

Whereas earlier this year Norodom Ranariddh and Hun Sen wrote to United Nations Secretary-General Kofi Annan asking for “the assistance of the United Nations and the

international community in bringing to justice those persons responsible for the genocide and crimes against humanity during the rule of the Khmer Rouge from 1975 to 1979”;

Whereas, after the coup, troops loyal to Norodom Ranariddh appear to have formed a military alliance with troops loyal to the Khmer Rouge leadership, thus reinforcing the fears of the Cambodia people that the Khmer Rouge will use any means necessary to regain power;

Whereas peace, democracy, stability, the rule of law and national reconciliation in Cambodia are unlikely to be achieved until the Khmer Rouge are brought to justice; and

Whereas the Cambodian Genocide Justice Act states that it is the policy of the United States to support efforts to bring to justice members of the Khmer Rouge for their crimes against humanity, and in circumstances which the President deems appropriate, to encourage the establishment of an international criminal tribunal for the prosecution of those accused of genocide in Cambodia and provide such tribunal with relevant information: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that:

2 (1) a primary objective of U.S. policy toward
3 Cambodia should be the establishment of an inter-
4 national tribunal for the prosecution of those respon-
5 sible for the Cambodian genocide;

6 (2) in compliance with the Cambodian Genocide
7 Justice Act and the objectives stated above, the
8 President should immediately deem it appropriate to

1 encourage the establishment of an international
2 criminal tribunal for the prosecution of such mem-
3 bers of the Khmer Rouge;

4 (3) in further compliance with the Cambodian
5 Genocide Justice Act, the United States should sup-
6 port efforts to bring members of the Khmer
7 Rouge—including Pol Pot—to justice for their
8 crimes against humanity before an international tri-
9 bunal, including providing that tribunal with any in-
10 formation available on such members' involvement in
11 the Cambodian genocide; and

12 (4) the Secretary of State should encourage all
13 Member countries of the Association of Southeast
14 Asian Nations, the People's Republic of China,
15 Japan, and other interested countries to support
16 such a tribunal.

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